

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

**JOSEPH L. DIEBOLD, JR., on behalf of the
EXXONMOBIL SAVINGS PLAN, and PAUL J.
HUNDT, on behalf of the TEXAS
INSTRUMENTS 401(K) SAVINGS PLAN, and
all others similarly situated,**

CIVIL ACTION NO. 09-Civ-1934

Hon. Charles R. Norgle, Sr.

Plaintiffs,

v.

**NORTHERN TRUST INVESTMENTS, N.A.,
and THE NORTHERN TRUST COMPANY,**

Defendants.

DECLARATION OF JOSEPH DIEBOLD

1. I am a plaintiff in this action. I make this Declaration in support of the application for a payment of an incentive award to me and the other plaintiff in this action, and for payment of attorney's fees and reimbursement of litigation expenses to Class Counsel.
2. During the course of this action I have undertaken the following steps in discharge of my fiduciary duties in the service of the class:
 - A) I reviewed my defined contribution statements;
 - B) I have reviewed the pleadings in this case;
 - C) I have been in regular contact with class counsel to discuss the case and the resolution of this case;
 - D) I have prepared for my deposition in this case and had my deposition taken.
3. My retention agreement with counsel does not set forth a specific percentage of any judgment or settlement to which Class Counsel are entitled in payment of their

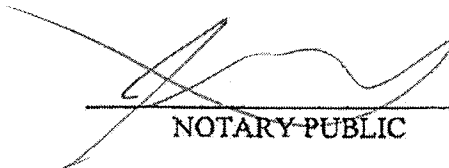
counsel fees, but does specify that Class counsel may ask for a percentage of the ultimate recovery up to 40%.

4. I have carefully monitored the proceedings in the action, and it is my conclusion that the Class Counsel have created significant value for the benefit of the Class.
5. I understand that Class Counsel will apply for a counsel fee in the amount of one third of the Settlement Fund plus interest, as well as reimbursement of litigation expenses advanced. I endorse this application, and I respectfully ask the Court to approve it.

This 17th day of June, 2015.


JOSEPH DIEBOLD

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 17th DAY
OF JUNE, 2015.


NOTARY PUBLIC



OFFICIAL SEAL
JOSEPH C. PEIFFER
ROLL # 26459
STATE OF LOUISIANA
PARISH OF ORLEANS
Commission is for Life